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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,449	09/10/2003	Purva R. Rajkotia	SAMS01-00270	4890
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			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,449

Applicant(s)

RAJKOTIA ET AL.

Examiner

Naghmeh Mehrpour

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10, 14-22, 25-30, are rejected under 35 U.S.C. 102(e) as being anticipated by Thorson et al. (US publication Number 2005/0014506 A1).

Regarding claims 1, 13, 25, For Thorson teaches use in a wireless communication system/apparatus comprising a plurality of base stations, each of which is capable of communicating with a plurality of mobile stations within a base station coverage area, an apparatus for setting up a call from a mobile station, wherein the apparatus comprises:

a base station that sets up said call from said mobile station by receiving an origination message from said mobile station (see figure 2);

wherein said base station sends null frames on a forward traffic channel to said mobile station to verify that said forward traffic channel is reliable instead of sending a base station acknowledgment order to said mobile station to verify that said forward traffic channel is reliable (page 2 section 0016); and

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wherein said base station receives a traffic channel preamble from said mobile station on a reverse traffic channel to said base station to verify that said reverse traffic channel is reliable instead of receiving a mobile station acknowledgement order from said mobile station to verify that said reverse traffic channel is reliable (page 2 section 0017).

Regarding claims 2, 14, 26, Thorson teaches a system/apparatus wherein: said base station sends to said mobile station a specified number of traffic channel preambles for said mobile station to send to said base station before said mobile station goes to a traffic channel (page 2 sections 0016-0017).

Regarding claims 3, 15, Thorson teaches an apparatus/system wherein said base station sends said specified number of traffic channel preambles to said mobile station in one of a channel assignment message and an extended channel assignment message (page 2 section 0016).

Regarding claims 4, 16, 27, Thorson teaches an apparatus/system wherein said base station sends a mode of operation indicator to said mobile station to cause said mobile station to send a specified number of traffic channel preambles to said mobile station before said mobile station goes to a traffic channel, wherein said base station sends said mode of operation indicator to said mobile station in one of a channel assignment message and an extended channel assignment message (page 2 sections 0017-0018).

Regarding claims 5, 17, 28, Thorson teaches an apparatus/system wherein:

said base station sends to said mobile station a specified number of traffic channel preambles for said mobile station to send to said base

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station before said mobile station goes to a traffic channel (page 2 section 0021-0022); and

said base station sends a base station acknowledgement order to said mobile station before said mobile station has sent the specified number of traffic channel preambles to said base station (page 2 sections 0023).

Regarding claims 6, 18, Thorson teaches an apparatus/system wherein said base station sends said specified number of traffic channel preambles to said mobile station in one of a channel assignment message and an extended channel assignment message (page 2 section 0016).

Regarding claims 7, 19, Thorson teaches an apparatus/system wherein:

said base station sends a mode of operation indicator to said mobile station to cause said mobile station;

1) to send a specified number of traffic channel preambles to said mobile station before said mobile station goes to a traffic channel (page 2 section 0020), and

2) to enter a traffic channel when said mobile station receives a base station acknowledgement order from said base station before said mobile station has sent the specified number of traffic channel preambles to said base station (page 2 sections 0018-0020); and

wherein said base station sends said mode of operation indicator to said mobile station in one of a channel assignment message and an extended channel assignment message (page 2 sections 0021-0022).

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Regarding claims 8, 20, Thorson teaches an apparatus/system wherein said base station sends a traffic channel preamble to said mobile station on a forward traffic channel after said base station has sent one of a channel assignment message and an extended channel assignment message to said mobile station, wherein said traffic channel preamble verifies that said forward traffic channel is reliable (page 2 sections 0016, 0020); and

said base station receives null frames from said mobile station on a reverse traffic channel after said base station has sent said traffic channel preamble to said mobile station, wherein said null frames verify that said reverse traffic channel is reliable (page 2 sections 0016-0020).

Regarding claims 9, 20, 29, Thorson teaches an apparatus/system as set forth in claim 1 wherein: said base station sets up a call to terminate on said mobile station by sending null frames on a forward traffic channel to said mobile station to verify that said forward traffic channel is reliable instead of sending a base station acknowledgment order to said mobile station to verify that said forward traffic channel is reliable (page 2 section 0016).

Regarding claims 10, 22, 30, Thorson teaches an apparatus/system as set forth in claim 9 wherein said base station sets up a call to terminate on said mobile station by receiving a traffic channel preamble from said mobile station on a reverse traffic channel to said base station to verify that said reverse traffic channel is reliable instead of receiving a mobile station acknowledgement order from said mobile station to verify that said reverse traffic channel is reliable (pages 2-3 sections 0023, 0024).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-12, 23-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorson et al. (US Publication 2005/0014506 A1)

Regarding claims 11, 23, Thorson fails to teach a apparatus/system wherein said base station sets up said call from said mobile station in approximately two hundred milliseconds. However, the examiner takes official notice that a apparatus/system wherein said base station sets up said call from said mobile station in approximately two hundred milliseconds is well known in the art. Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Thorson, in order to reduce the call setup time.

Regarding claims 12, 24, Thorson fails to teach an apparatus/system wherein said base station sets up said call to terminate on said mobile station in approximately three hundred milliseconds. However, the examiner takes official an apparatus/system wherein said base station sets up said call to terminate on said mobile station in approximately three hundred milliseconds is well known in the art. Therefore, it would have been obvious to ordinary skill in the art

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at the time the invention was made to combine the above teaching with Thorson, in order to reduce the call setup time.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee et al. (US Publication 2003/0193915 A1) disclose device and method for fading transmission in a CDMA mobile communication system

Park et al. (US Patent 6,442,152 B1) disclose device and method for communication packet data in mobile communication system

Dolan et al. (US Patent 6,377,572 B1) disclose virtual resources allocation method and apparatus for wireless data communication systems

Paulsrud (US Patent Number 6,473,501 B1) disclose concurrent hunt group searching methods and arrangements

6. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913.

The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (571) 272-7905.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

June 10, 2005



MELODY MEHROUPOUR
PATENT EXAMINER